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PATENT DOCKET 207,327

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HORTA et al.

Examiner: Not Yet Assigned

Serial no.: 10/562,916

Group Art Unit: Not Yet Assigned

Filed: December 23, 2005

Title: ADJUSTABLE UNDERWIRE ASSEMBLY

STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. § 1.10

This correspondence is being deposited with the United States Postal Service on February 21, 2007 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ER059678021US addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450.

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NON-PROVISIONAL APPLICATION

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: February 21, 2007

REMARKS

In response to the Notice to File Missing Parts of December 21, 2006 (copy enclosed) in above-captioned application, enclosed is a Declaration and Power of Attorney, executed by all of the inventors. The surcharge for late filing of the Declaration in the amount of \$ 65.00 is included in the check submitted herewith.

Respectfully submitted,

Joseph J. Catanzaro

Attorney for Applicants 00000146 10562916

Reg. No. 25,837

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65.00 OP



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/562,916	Joseph Horta	207,327
INTERNATIONAL APPLICATION NO.		
PCT/US04/20821		
LA. FILING DATE	PRIORITY DATE	
06/24/2004	06/25/2003	
<b>CONFIRMATION NO. 8748</b>		
<b>371 FORMALITIES LETTER</b>		
 *OC000000021647207*		

Date Mailed: 12/21/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/23/2005
- Copy of the International Search Report filed on 12/23/2005
- Copy of IPE Report filed on 12/23/2005
- Preliminary Amendments filed on 12/23/2005
- Oath or Declaration filed on 12/23/2005
- Small Entity Statement filed on 12/23/2005
- Request for Immediate Examination filed on 12/23/2005
- U.S. Basic National Fees filed on 12/23/2005
- Priority Documents filed on 12/23/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

CHRISTINE S WASHINGTON

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Telephone: (703) 308-9140 EXT 228

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/562,916	PCT/US04/20821	207,327

FORM PCT/DO/EO/905 (371 Formalities Notice)